

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CURATED WORKS INC.,

Plaintiff,

-v.-

DEAL.COM, INC.,

Defendant.  
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:  
: ORDER

: 19 Civ. 11509 (LAK) (GWG)

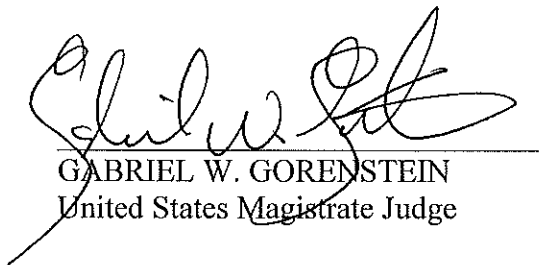
GABRIEL W. GORENSTEIN, UNITED STATES MAGISTRATE JUDGE

In light of the fact that the pending motion to dismiss relates to only one of four claims, that the Court cannot predict when a decision on the motion will issue, and that any counterclaims asserted by the defendant might affect the scope of discovery, the Court believes that it should exercise its power under Fed. R. Civ. P. 12(a)(4) to require the defendant to file a responsive pleading (including any counterclaims) within 21 days. See Fed. R. Civ. P. 12(a)(4) (extending the deadline for a party to file a responsive pleading until after the disposition of a Rule 12(b) motion “[u]nless the court sets a different time”).

If defendant does not object to the Court issuing such an order, it may so state in a letter filed on ECF by March 16, 2020. Otherwise, it should state its reasons for objecting by the same date. Plaintiff may file a letter response on or before March 23, 2020.

SO ORDERED.

Dated: March 6, 2020  
New York, New York

  
GABRIEL W. GORENSTEIN  
United States Magistrate Judge